

## **FOREWORD**

*The Office of Private and Voluntary Cooperation in USAID's Bureau for Humanitarian Response (BHR/PVC) is the focal point for private and voluntary organization (PVO) relationship with the Agency. Annual foreign assistance appropriations legislation has contained a provision stipulating that none of the funds appropriated may be made available to any PVO which is not registered with USAID. Disaster assistance funding and funding through subgrants or contracts are not subject to this requirement. The Foreign Assistance Act extends the availability of certain resources to foreign, non-profit, voluntary agencies (i.e., local PVOs) on the basis that they also are registered with, and approved by, USAID when no U.S. PVO is available to provide the Assistance. Since 1986, registration has been a statutory and/or policy requirement.*

*Registration is a key element of the USAID and PVO partnership. To help facilitate the registration process and clarify the responsibilities of USAID/Washington (USAID/W) and Mission personnel, PVC has developed the Local Private Voluntary Organizations Registration Procedures. The procedures include step-by-step instructions.*

*USAID/Missions may accept all documents submitted by a LPVO in the local language. Only the Standard Registration Form (SRF), which is the only document that should be submitted to USAID/W, is required to be in English.*

*We hope you find these procedures helpful and valuable. These procedures supersede any previous instructions and will continue until further notice. Please address any questions concerning the LPVO Registration Procedures to:*

**USAID Registrar  
BHR/PVC/IPS  
Room 7.06  
Ronald Reagan Building  
1300 Pennsylvania Avenue, N.W.  
Washington, DC 20523-7600  
TEL (202) 712-4747  
FAX (202) 216-3039**

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## ORIGIN OF REGISTRATION

The registration of U.S. private and voluntary agencies originated on the eve of World War II as a means for the U.S. Government to monitor the overseas relief activities of American agencies in warring countries. The Neutrality Act of 1939 required U.S. voluntary agencies to register with and report to the Department of State.

The Foreign Assistance Act (FAA) of 1961 established the Agency for International Development (USAID) to administer U.S. bilateral aid. In 1977, USAID expanded the registry, citing registration as prerequisite for U.S. PVOs wanting to apply for USAID-administered assistance reserved for PVOs. Subsequently, the Office of Private and Voluntary Cooperation (PVC) was established in what is now USAID's Bureau for Humanitarian Response (BHR) as the focal point for PVO relations with the Agency, its bureaus and missions. PVC now handles registration for all U.S. PVOs and registration policy for all PVOs worldwide.

For the past several years, foreign assistance appropriations acts have included the following provisions:

### Private and Voluntary Organizations-Documentation

SEC.536 None of the funds appropriated or made available pursuant to this Act shall be made available to a private and voluntary organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Agency for International Development, nor shall any of the funds appropriated by this Act be made available to any private and voluntary organization which is not registered with the Agency for International Development. FY 1996 and FY 1997 appropriations acts did not include registration, but it was maintained as a matter of policy.

The registration requirement does not apply to:

Organizations receiving funding through subgrants, contracts, the International Disaster Assistance account or P.L. 480. Note: PVO registration for Foreign Disaster Assistance Grants is preferred, but not mandatory.

Over the years USAID determined that the first five conditions of registration described the essential characteristics that have been used to identify a PVO. Indigenous organizations that do not meet the first five conditions of registration are not considered PVOs and are not required to register in order to receive USAID funding.

## **Procedures For Initial LPVO Provisional Registration**

Inquiries regarding Local Private and Voluntary Organization ( LPVO) registration are directed to the USAID Mission. Missions have the option of registering only those LPVOs pre-approved for grant funding.

### **USAID MISSION REQUIREMENTS**

- Provide the LPVO interested in doing business with USAID, with a List of Conditions and Document Checklist (Exhibit A) required for initial registration. To assist the Missions, PVC is including Exhibit A translated into three languages: Exhibit A.1-French; Exhibit A.2-Spanish; and Exhibit A.3-Arabic.
- Verify that the documentation submitted by the LPVO for registration is complete (Exhibit A).
- Evaluate the documentation of the LPVO as instructed in State 402756 (Appendix A) and determine whether the applicant should be provisionally registered.
- Complete the Standard Registration Form (SRF) (Exhibit B) providing explanations in instances where the Mission deems acceptable a LPVO's departure from standard form or practice. Obtain clearances from all appropriate Mission Officers.
- Register the LPVO that meets the registration requirements. These requirements are listed in USAID Handbook 3, Annex 1 to Appendix 4C-A, (Appendix B) and in State 356010 (Appendix C).
- Submit to BHR/PVC two copies of the SRF (complete in English and U.S. dollars).
- Forward to the LPVO the original Certificate of Registration provided by BHR/PVC.
- Retain a copy of the Certificate of Registration and the approved SRF.
- Inform successful and unsuccessful LPVO applicants of status of registration.

**Initial Registration  
Conditions of Registration/Document Checklist  
ENGLISH**

Please return with the 4 documents below to the USAID Mission.

## Initial Registration Conditions of Registration

(For use by LPVOs)

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*Missions have the option of registering only those LPVOs pre-approved for grant funding.*

**CONDITION 1:** The LPVO is a legal entity organized under the laws of the host country and is philanthropic and/or public service oriented in purpose. It is not a research organization, private foundation, university, college, or other similarly structured and degree-awarding, accredited institution of learning, nor is it a church or organization engaged in exclusively religious activities.

**CONDITION 2:** The LPVO is a private, nongovernment entity which receives funds from private sources (all non-host country government funds).

**CONDITION 3:** The LPVO is a nonprofit organization with tax-exempt status under its country's tax laws, **if they exist and are appropriate.**

**CONDITION 4:** The LPVO is a voluntary organization, receiving voluntary contributions of money, staff time OR in-kind support from the general public.

**CONDITION 5:** The LPVO is engaged in voluntary, charitable or development assistance operations of a type consistent with its Articles of Incorporation, and within the broad purposes of the Foreign Assistance Act and P.L. 480.

**CONDITION 6:** The LPVO has an acceptable system to account for the receipt and expenditure of U.S. funds and prepares an annual financial statement that is an accurate and fair representation of the organization's financial position indicating that it has the financial resources to enable it to perform its normal functions in the absence of USAID support.

**CONDITION 7:** The LPVO is controlled by an active and responsible governing body which maintains effective policy and administrative control, which meets at least annually and whose members serve without compensation; if paid officers serve on the governing body, they cannot constitute a majority in any decision.

**CONDITION 8:** The LPVO, under its own established priorities and programs, obtains, expends, and distributes its funds and resources in conformity with accepted ethical standards, without unreasonable cost for promotion, publicity, fund raising and administration.

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## Document Checklist (FOR USE BY USAID MISSION)

___ Articles of Incorporation or Charter	___ Audited Financial Statements
___ By-Laws	___ Annual Report

Each applicant shall submit such other information as USAID may reasonably require to determine that it meets the conditions of registration.

**Conditions of Registration/Document Checklist**  
**FRENCH**

Prière de présenter ces conditions d'enregistrements et les quatres documents ci-dessous mentionnés à la Mission USAID.

## ENREGISTREMENT INTIAL CONDITIONS D'ENREGISTREMENT (à l'usage des ONG locales)

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*L'USAID a la latitude de n'enregistrer que les ONG préalablement approuvées pour l'octroi d'une subvention.*

**CONDITION 1:** L'ONG locale est une entité légale de droit du pays hôte, et est philanthropique et/ou de service public. Elle ne s'occupe pas de recherche, n'est pas une fondation privée, une université ou institut d'enseignement supérieur ou autre institution de formation similaire agréée et délivrant des diplômes. Elle n'est pas non plus une église ou une organisation engagée dans des activités exclusivement religieuses.

**CONDITION 2:** L'ONG est une entité privée, non gouvernementale qui reçoit des fonds de sources privée (tous fonds hors-gouvernement du pays hôte).

**CONDITION 3:** L'ONG est une organisation à but non lucratif exonérée de taxes dans le cadre de la législation fiscale du pays hôte, si celle-ci existe et est appropriée.

**CONDITION 4:** L'ONG est une organisation bénévole recevant des contributions bénévoles en argent, travail OU en nature du grand public.

**CONDITION 5:** L'ONG est engagée dans des opérations d'assistance bénévole, caritative ou au développement de type conforme à ses statuts et aux grands objectifs de la loi américaine sur l'Assistance à l'Etranger et du P.L. 480.

**CONDITION 6:** L'ONG dispose d'un système acceptable de comptabilité des recettes et dépenses des fonds fournis par les Etats-Unis, et prépare un état financier annuel qui rende compte exactement et justement de sa situation financière indiquant qu'elle dispose des ressources financières lui permettant d'accomplir normalement ses fonctions en l'absence de soutien de l'USAID.

**CONDITION 7:** L'ONG est contrôlée par un organe exécutif actif et responsable qui exerce un contrôle administratif et réglementaire effectif, se réunit au moins une fois l'an et dont les membres ne perçoivent aucune rémunération. Si cet organe comprend des membres rémunérés, ceux-ci ne doivent pas constituer une majorité dans la prise d'aucune décision.

**CONDITION 8:** L'ONG, dans le cadre de ses propres priorités et programmes, obtient, dépense et distribue ses fonds et ressources conformément à des normes déontologiques acceptées, sans encourir des coûts déraisonnables de promotion, publicité, collecte de fonds et d'administration.

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## DOCUMENTS REQUIS (pour usage de la Mission USAID)

___ Statuts	___ Etats Financiers audités
___ Règlement intérieur	___ Rapport annuel

L'ONG devra fournir toute information que l'USAID pourrait raisonnablement demander pour déterminer si elle remplit les conditions d'enregistrement.

LPVO/Int'l Doc Cklt 103-LW 3/96



**Conditions of Registration/Document Checklist**  
**SPANISH**

Sírvase devolverlo a la Misión de la USAID con los 4 documentos que se solicitan en la lista de control.

## Registro Inicial Condiciones de Registro

Para uso de las  
OLCPV - Oficinas Locales de Cooperación Privada y Voluntaria

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*Las misiones tienen la opción de registrar sólo a las OLCPV que ya hayan sido aprobadas para la concesión de fondos.*

**CONDICIÓN 1:** La OLCPV es una entidad jurídica constituida conforme a las leyes del país anfitrión con fines filantrópicos o de servicio social. No es una entidad científica, fundación privada, universidad, colegio u otro centro de enseñanza acreditado y estructurado de forma similar que concede diplomas, ni una iglesia o entidad dedicada exclusivamente a actividades religiosas.

**CONDICIÓN 2:** La OLCPV es una entidad privada no gubernamental que recibe fondos de fuentes privadas (todos los fondos que no provienen del gobierno del país anfitrión).

**CONDICIÓN 3:** La OLCPV es una entidad sin fines lucrativos exenta de impuestos conforme a las leyes fiscales de su país, si existen y son pertinentes.

**CONDICIÓN 4:** La OLCPV es una entidad voluntaria que recibe contribuciones voluntarias de dinero, horas de trabajo de personal o apoyo en especie del público en general.

**CONDICIÓN 5:** La OLCPV participa en actividades de asistencia al desarrollo o de carácter voluntario y caritativo, consecuentes con su Escritura de Constitución y dentro de los fines generales de la Ley Pública 480 y la Ley de Asistencia al Extranjero.

**CONDICIÓN 6:** La OLCPV tiene un sistema aceptable para dar cuenta de los ingresos y gastos de fondos estadounidenses y prepara un estado financiero anual que es una representación fiel y justa de la situación financiera de la entidad que indica que cuenta con los recursos financieros que le permiten desempeñar sus funciones normales sin fondos de la USAID.

**CONDICIÓN 7:** La OLCPV está bajo la dirección de un organismo directivo activo y responsable que mantiene un control administrativo y normativo eficaz, que se reúne por lo menos anualmente y cuyos miembros no reciben ninguna remuneración por sus servicios; si en el organismo directivo hay funcionarios remunerados, éstos no pueden constituir una mayoría en la adopción de ninguna decisión.

**CONDICIÓN 8:** La OLCPV, en virtud de sus propios programas y prioridades establecidos, obtiene, desembolsa y distribuye sus fondos y recursos de conformidad con las normas éticas aceptadas, sin costo desmedido con respecto a promoción, publicidad, recaudación de fondos ni administración.

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## Lista de Documentos

(Para uso de la Misión de la USAID)

___ La Escritura de Constitución o la Carta.	___ Los estados financieros comprobados.
___ Los estatutos.	___ El Informe Anual.

Cada solicitante presentará la información adicional que la USAID requiera razonablemente para establecer que cumple con las condiciones de registro.

## **Conditions of Registration/Document Checklist**

**ARABIC**

## **Conditions of Registration/Document Checklist**

**ARABIC**

**Unavailable**

## **Standard Registration Form (SRF)**

## LOCAL PVO STANDARD REGISTRATION FORM (SRF)

(USAID Mission complete in English and U.S. dollars)

### **OPENING STATEMENT:**

USAID/\_\_\_\_\_ has provisionally registered a local private and voluntary organization and intends to fund the organization in the near future. We recognize that if USAID/W does not approve the registration action, future funding of new activities will not be permitted. Continued funding of ongoing activities will be permitted provided that the initial authorization level is not exceeded. Two copies of this form will be mailed to the Registrar, BHR/PVC/IPS, 7th Floor, SA-8, Washington, DC 20523-0804. BHR/PVC will review this provisional application and return a signed copy with its final determination to the respective mission.

### **REGISTRATION CERTIFICATION:**

Name of LPVO: \_\_\_\_\_  
(English title)

Acronym: \_\_\_\_\_  
(acronym or native title)

Address: \_\_\_\_\_  
(number) (street)

City/Country: \_\_\_\_\_  
(city or region) (country)

Phone No.: [\_\_\_\_\_] - (\_\_\_\_\_) Fax No.: [\_\_\_\_\_] - (\_\_\_\_\_)   
[country code] (region code) [country code] (region code)

E-mail Address: \_\_\_\_\_

Principal LPVO contact or CEO: \_\_\_\_\_

Title: \_\_\_\_\_ FY End Date: \_\_\_\_\_

### **USAID PROVISIONAL REGISTRATION ACTION:**

I have reviewed all the necessary documents of \_\_\_\_\_ and have determined that the organization meets the conditions of registration as outlined in USAID Handbook 3, Appendix 4C-A as further documented herein. These documents will be retained at the Mission and be made available upon request.

\_\_\_\_\_  
Signature of Mission Director

\_\_\_\_\_  
Date

### **BHR/PVC DETERMINATION:**

\_\_\_\_\_  
Signature of Director, BHR/PVC

Decode: L\_\_\_\_\_

☐

Approved

☐

Disapproved

\_\_\_\_\_  
Date

To help facilitate the completion of the SRF, refer to the end of each page.

## REGISTRATION CONDITIONS

### **CONDITION 1:**

The LPVO is a legal entity organized under the laws of the host country and is philanthropic and/or public service oriented in purpose. It is not a research organization, private foundation, university, college, or other similarly structured and degree-awarding, accredited institution of learning, nor is it a church or organization engaged in exclusively religious activities.

**Comments:**

**State the main purpose of LPVO:**

**Explanation (if applicable):**

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Use Articles and By-laws to ascertain the purpose of the organization.

The LPVO must neither use religious persuasion when distributing aid nor require that needy people profess any particular faith as a prerequisite to receiving aid. Furthermore, the LPVO must not promote religion at the public expense by using United States Government funds or United States Government financed goods or services to promote sectarian purposes.

If an organization conducts activities solely for religious purposes it does not meet this condition.

**CONDITION 2:**

The LPVO is a private, nongovernment entity which receives funds from private sources (all non-host country government funds).

**Comments:**

<b><u>Sources of Support:</u></b>	<b><u>Local Currency</u></b>	<b><u>U.S. Equivalent</u></b>	<b><u>Percentage</u></b>
Private contributions	_____	\$ _____	_____ %
Private grants	_____	\$ _____	_____ %
Revenue	_____	\$ _____	_____ %
U.S. Government	_____	\$ _____	_____ %
Other Government	_____	\$ _____	_____ %
Other _____ Specify	_____	\$ _____	_____ %
Total Revenue	=====	\$ =====	===== %

**Explanation (if applicable):**

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Use the Financial Statements to report the sources of support and percentage allocation.



**CONDITION 3:**

The LPVO is a nonprofit organization with tax-exempt status under its country's tax laws, **if they exist and are appropriate.**

**Comments:**

**Explanation (if applicable):**

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Comment on tax-exempt status.

If host country does not have taxes, or tax exemption, explain in the comments section.

**CONDITION 4:**

The LPVO is a voluntary organization, receiving voluntary contributions of money, staff time OR in-kind support from the general public.

**Comments:**

**Explanation (if applicable):**

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Use the Annual Report and Financial Statements to determine if the organization receives voluntary services or support. If there is no objective basis for measurement or valuation of staff time or in-kind support, it should be included as a note in the Financial Statements or referenced in the annual report.

**CONDITION 5:**

The LPVO is engaged in voluntary charitable or development assistance operations of a type consistent with its Articles of Incorporation, and within the broad purposes of the Foreign Assistance Act or P.L. 480.

**Comments:**

**Explanation (if applicable):**

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Use the Annual Report to prepare a brief description of the LPVO's activities. These activities should be consistent with the Articles, the Financial Statements, and the Foreign Assistance Act or P.L. 480.

## **CONDITION 6:**

The LPVO has an acceptable system to account for the receipt and expenditure of U.S. funds and prepares an annual financial statement that is an accurate and fair representation of the organization's financial position indicating that it has the financial resources to enable it to perform its normal functions in the absence of USAID support.

### **Comments:**

	<b><u>Local Currency</u></b>	<b><u>U.S. Equivalent</u></b>
<b><u>Balance Sheet</u></b>		
Current assets <sup>1</sup>	_____	\$ _____
Total Assets	_____	\$ _____
Current Liabilities <sup>2</sup>	_____	\$ _____
Total Liabilities	_____	\$ _____
Total Fund Balance (Net Assets)	_____	\$ _____
<b><u>Support, Revenue &amp; Expense Statement</u></b>		
Total Support & Revenue	_____	\$ _____
Total Expenses	_____	\$ _____
Excess <Deficiency <sup>3</sup> >	_____	\$ _____

### **Explanation (if applicable):**

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Use Financial Statements to report the fund balance (net assets). If the fund balance is negative, the LPVO should not be considered for registration at this time. Comments should include a brief analysis of relevant financial statistics, sufficient to substantiate that the LPVO has financial resources to enable it to perform its normal function in absence of USAID support.

<sup>1</sup>Current assets represent expendable resources comprised of cash or other current assets easily convertible to cash, excluding USAID grants and cooperative agreements.

<sup>2</sup>Current liabilities are those debts that must be paid within an operating cycle (i.e., one year).

<sup>3</sup>Deficiency must be analyzed to determine overall financial soundness.

**CONDITION 7:**

The LPVO is controlled by an active and responsible governing body which maintains effective policy and administrative control, which meets at least annually and whose members serve without compensation; if paid officers serve on the governing body, they cannot constitute a majority in any decision.

**Comments:**

**Explanation (if applicable):**

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Comment on the following: Number of board meetings per year; number of board members; number of staff members serving on the board; and number of board members compensated for their service on the Board.

**CONDITION 8:**

The LPVO, under its own established priorities and programs, obtains, expends, and distributes its funds and resources in conformity with accepted ethical standards, without unreasonable cost for promotion, publicity, fund raising and administration.

**Comments:**

<b><u>Expenses</u></b>	<b><u>Local Currency</u></b>	<b><u>U.S. Equivalent</u></b>	<b><u>Percentage</u></b>
Program Costs	_____	\$ _____	_____ %
Supporting Service Costs			
Promotion       \$ _____			
Publicity       \$ _____			
Fund-raising    \$ _____			
Administration   \$ _____			
Total Supporting Services	=====	\$ =====	===== %
Total Expenses	_____	\$ _____	_____ 100%

**Explanation (if applicable):**

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Use Financial Statements to calculate the Supporting Services percentage. Supporting services is determined by adding promotion, publicity, administration, and fund-raising costs. Applicants with supporting services cost exceeding 50 percent will generally not be considered for registration without submission of a strong explanation.

## **BHR/PVC REQUIREMENTS**

- Review the SRF submitted by the USAID Mission.
- Contact the USAID Mission if clarification is needed to the SRF.
- Perform the following for LPVOs approved for registration:
  - a. Prepare an Action Memorandum for the Director, BHR/PVC enclosing LPVO's Certificate of Registration (Exhibit C) and two copies of the SRF for approval;
  - b. Send a memorandum to the USAID Mission PVO Officer notifying that the LPVO has been registered with USAID attaching the original and a copy of the Certificate of Registration and a signed SRF;
  - c. Retain a copy of the signed SRF and Certificate of Registration; and
  - d. Ensure the information from the SRF is entered into the PVO Management Information System (PVO-MIS).
- Return the application to the USAID Mission if the LPVO is not approved for registration with USAID.

# **Certificate of Registration**

**Unavailable for Viewing**



# **Procedures For Annual LPVO Registration**

## **BHR/PVC REQUIREMENTS**

- Notify USAID Missions to update the information on LPVOs registered.
- Send the USAID Mission a copy of the Non-U.S. PVO Executive Contact List which incorporates Mission updates.

## **USAID MISSION REQUIREMENTS**

- Notify LPVO to submit annual submission documents within 6 months from the LPVO's fiscal year end. See Annual Submission Schematic (Exhibit D).
- Forward the Annual Submission Document Checklist (Exhibit E) to the LPVO. To assist the Missions, PVC is including Exhibit E translated into three languages: Exhibit E.1-French; Exhibit E.2-Spanish; and Exhibit E.3-Arabic.
- Review the annual submission of each LPVO and certify that the LPVO continues to comply with the conditions of registration and notifies BHR/PVC.
- Notify the Registrar of changes to LPVOs' addresses, telephone numbers, and points of contact.

**Example**  
**ANNUAL SUBMISSION**  
**SCHEMATIC**

<b>LPVO Fiscal Year End</b>	<b>Annual Submission Deadline</b>	<b>Fiscal Year For Fin. Statements (Required) &amp; Annual Report (Optional)</b>
12/31/95	06/30/96	01/01/95 - 12/31/95
01/31/96	07/31/96	02/01/95 - 01/31/96
02/29/96	08/31/96	03/01/95 - 02/29/96
03/31/96	09/30/96	04/01/95 - 03/31/96
04/30/96	10/31/96	05/01/95 - 04/30/96
05/31/96	11/30/96	06/01/95 - 05/31/96
06/30/96	12/31/96	07/01/95 - 06/30/96
07/31/96	01/31/97	08/01/95 - 07/31/96
08/31/96	02/28/97	09/01/95 - 08/30/96
09/30/96	03/31/97	10/01/95 - 09/30/96
10/31/96	04/30/97	11/01/95 - 10/31/96
11/30/96	05/31/97	12/01/95 - 11/30/96
12/31/96	06/30/97	01/01/96 - 12/31/96

**Annual Submission Document Checklist**  
**ENGLISH**

Please return with the required documents below to the USAID Mission.

## **Annual Submission Document Checklist**

(For use by LPVOs)

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- \_\_\_\_\_ **Articles of Incorporation or Charter. Not required if no changes have occurred.**
- \_\_\_\_\_ **By-Laws. Not required if no changes have occurred .**
- \_\_\_\_\_ **Financial Statements.**
- \_\_\_\_\_ **Annual Report. (Annual Progress Report may be substituted.)**

**Each applicant shall submit such other information as USAID may reasonably require to determine that it meets the conditions of registration.**

**Annual Submission Document Checklist**  
**FRENCH**

Prière de présenter ces conditions d'enregistrements et les quatres documents ci-dessous mentionnés à la Mission USAID.

## **Annual Submission DOCUMENTS REQUIS**

(For use by LPVOs)

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- \_\_\_ Statuts. **Pas exigés s'ils n'y auraient pas de changement.**
- \_\_\_ Etats Financiers audités. **Pas exigés s'ils n'y auraient pas de changement.**
- \_\_\_ Règlement intérieur.
- \_\_\_ Rapport annuel. **(Rapport Annuel Progres peut être remplacé.)**

L'ONG devra fournir toute information que l'USAID pourrait raisonnablement demander pour déterminer si elle remplit les conditions d'enregistrement.

**Annual Submission Document Checklist**  
**SPANISH**

Sírvase devolverlo a la Misión de la USAID con los documentos que se solicitan a continuación.

## **Presentación Anual Lista de Documentos**

Para uso de las  
OLCPV - Oficinas Locales de Cooperación Privada y Voluntaria

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- \_\_\_ **La Escritura de Constitución o la Carta. No hace falta si no ha habido cambios.**
- \_\_\_ **Los estatutos. No hace falta si no ha habido cambios.**
- \_\_\_ **Los estados financieros.**
- \_\_\_ **El Informe Anual. (Puede ser sustituido por el Informe Anual sobre el Progreso de las Actividades.)**

**Cada solicitante presentará la información adicional que la USAID requiera razonablemente para establecer que cumple con las condiciones de registro.**



## **Annual Submission Document Checklist**

### **ARABIC**

## **Annual Submission Document Checklist**

**ARABIC**

**Unavailable**

# **Procedures For Termination of LPVO Registration**

## **USAID MISSION REQUIREMENTS**

- Remove a LPVO from the Registry if, at any point, the LPVO fails to meet the submission requirements by not meeting one or more of the conditions or by not submitting the annual submission package. The USAID Mission should inform the LPVO of its removal from the Registry.
- Notify BHR/PVC immediately upon the termination of registration of a LPVO. This notification must include the LPVO's decode number. The LPVO has the opportunity to reapply for admission to the Registry 90 days after it has been removed. However, the LPVO must resubmit all of the documentation required for initial registration.

## **BHR/PVC REQUIREMENTS**

- Receive the notification of termination and ensure the information is entered into the PVO-MIS (database).

## **APPENDICES**

## **LPVO Registration Procedures - State 402756**

TEXT OF STATE 402756  
DECEMBER 14, 1988  
RETYPE FOR LEGIBILITY

UNCLASSIFIED

DRAFTED BY: AID/FVA/PVC:EHORNBERGER:EH  
APPROVED BY: AID/FVA/PVC:LTANNER

AID/FVA/PVC:KPOE (DRAFT)	AID/AFR/DP/PPE:ADRABEK (DRAFT)
AID/LAC/DP:SBENOLIEL (DRAFT)	AID/ANE/TR/HR:SGRANT (DRAFT)
AID/GC/CP:STISA (DRAFT)	AID/ES:GJOE

ROUTINE TO AID WORLDWIDE

ADM AIDAC

E.O. 12356: N/A

TAGS:

SUBJECT: LOCAL PVO REGISTRATION PROCEDURE

REF: (A) STATE 356010

1. AS STATED IN REF A PARA 7B, FVA/PVC HAS DEVELOPED A FORM USAIDS ARE TO COMPLETE IN ORDER TO REGISTER INDIGENOUS ORGANIZATIONS ON A PERMANENT BASIS. TWO SIGNED COPIES OF THE FORM ARE TO BE POUCHED TO FVA/PVC IN ORDER FOR A LPVO TO BE REVIEWED FOR PERMANENT REGISTRATION STATUS. AS STATED IN REF A, USAIDS MAY FUND THE ORGANIZATION WHILE RECOGNIZING THAT IF AID/W DOES NOT APPROVE THE REGISTRATION ACTION, FUTURE FUNDING OF NEW ACTIVITIES WILL NOT BE PERMITTED. CONTINUED FUNDING OF NEW ACTIVITIES WILL BE PERMITTED PROVIDED THAT THE INITIAL AUTHORIZATION LEVEL IS NOT EXCEEDED. FVA/PVC WILL REVIEW THIS PROVISIONAL REGISTRATION AND RETURN A SIGNED COPY WITH ITS FINAL DETERMINATION TO THE RESPECTIVE USAID. NO ADDITIONAL OR SUPPORTING DOCUMENTATION SHOULD BE MAILED TO FVA/PVC, UNLESS REQUESTED.

2. ALL LPVOS REGISTERED PRIOR TO THE RECEIPT OF REF A ARE CONSIDERED REGISTERED AND NEED NOT BE RE-REGISTERED UNDER

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CURRENT PROCEDURES (I.E., NO FURTHER DOCUMENTATION SHOULD BE SUBMITTED TO AID/W). PROCEDURES ESTABLISHED IN REF A FOR LPVO REGISTRATION APPLY TO REGISTRATION ACTION INITIATED AFTER RECEIPT OF REF A.

3. THE FOLLOWING EXPLANATIONS ARE PROVIDED REGARDING THE COMMENTS AND JUSTIFICATIONS SECTION APPLICABLE TO EACH CONDITION OF REGISTRATION OF THE STANDARD REGISTRATION FORM (SRF).

A. COMMENTS:

THE QUOTE COMMENTS UNQUOTE SECTION UNDER EACH CONDITION FOR REGISTRATION IS INTENDED TO PROVIDE FURTHER EXPLANATION OF HOW THE LPVO SATISFIES THE CONDITIONS FOR REGISTRATION AS STATED IN HANDBOOK 3, ANNEX 1 TO APPENDIX 4C - ELIGIBILITY OF NON-U.S. PVOS.

B. JUSTIFICATION:

THE QUOTE JUSTIFICATION UNQUOTE SECTION UNDER EACH CONDITION FOR REGISTRATION IS INTENDED TO PROVIDE A JUSTIFICATION FOR ANY VARIATION FROM THE CONDITIONS REQUIRED BY LOCAL LAW, CUSTOMS OR PRACTICES. EACH DEPARTURE FROM A CONDITION OR ITS SUPPORTING DOCUMENTATION SHOULD BE EXPLAINED IN THIS SECTION.

4. THE FORMAT FOR THE LPVO STANDARD REGISTRATION FORM (SRF), REFERRED TO IN REF A PARA 7B AS THE QUOTE REPORT UNQUOTE, FOLLOWS:

(PAGE 1)

LOCAL PVO STANDARD REGISTRATION FORM (SRF)

OPENING STATEMENT:

USAID/\_\_\_\_\_HAS PROVISIONALLY REGISTERED A LOCAL, PRIVATE, AND VOLUNTARY ORGANIZATION AND INTENDS TO FUND THE ORGANIZATION IN THE NEAR FUTURE. WE RECOGNIZE THAT IF AID/W DOES NOT APPROVE THE REGISTRATION ACTION FUTURE FUNDING OF NEW ACTIVITIES WILL NOT BE PERMITTED. CONTINUED FUNDING OF ONGOING ACTIVITIES WILL BE PERMITTED PROVIDED THAT THE INITIAL AUTHORIZATION LEVEL IS NOT EXCEEDED. TWO COPIES OF THIS FORM WILL BE MAILED TO THE REGISTRATION OFFICER, FVA/PVC/IPS, ROOM 329, SA-08, WASHINGTON, DC 20523. FVA/PVC WILL REVIEW THIS PROVISIONAL APPLICATION AND RETURN A SIGNED COPY WITH ITS FINAL DETERMINATION TO THE RESPECTIVE MISSION.

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## REGISTRATION CERTIFICATION

NAME OF LPVO:

ADDRESS:

COUNTRY:

PRINCIPAL LPVO CONTACT OR CEO:

TITLE:  

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## USAID PROVISIONAL REGISTRATION ACTION:

I HAVE REVIEWED ALL THE NECESSARY DOCUMENTS OF  
\_\_\_\_\_  
AND HAVE DETERMINED THAT  
THE ORGANIZATION MEETS THE CONDITIONS OF REGISTRATION AS  
OUTLINED IN HANDBOOK 3, APPENDIX 4CA AND FURTHER  
DOCUMENTED HEREIN. THESE DOCUMENTS WILL BE RETAINED AT  
THE MISSION AND BE MADE AVAILABLE UPON REQUEST.

---

SIGNATURE OF CERTIFYING OFFICER

---

DATE

---

NAME PRINTED

MISSION DIRECTOR

TITLE

## FVA/PVC DETERMINATION:

---

APPROVAL

---

DISAPPROVAL

---

NAME OF OFFICIAL

DAA/FVA/PVC

TITLE

---

DATE

(PAGE 2 AND SUBSEQUENT PAGES)

REGISTRATION CONDITIONS AND SUPPORTING DOCUMENTATION  
ANALYSIS:

## CONDITION 1:

THE LPVO IS A LEGAL ENTITY ORGANIZED UNDER THE LAWS OF THE  
HOST COUNTRY AND IS PHILANTHROPIC AND/OR PUBLIC SERVICE



ORIENTED IN PURPOSE. IT IS NOT A RESEARCH ORGANIZATION, PRIVATE FOUNDATION, UNIVERSITY, COLLEGE, OR OTHER SIMILARLY STRUCTURED AND DEGREE-AWARDING, ACCREDITED INSTITUTION OF LEARNING, NOR IS IT A CHURCH OR ORGANIZATION ENGAGED IN EXCLUSIVELY RELIGIOUS ACTIVITIES. COMMENTS: (SEE PARA 3A)

JUSTIFICATION: (SEE PARA 3B)

CONDITION 2:

THE LPVO IS A PRIVATE, NONGOVERNMENT ENTITY WHICH RECEIVES FUNDS FROM PRIVATE SOURCES (ALL NON-HOST COUNTRY GOVERNMENT FUNDS) IN THE AMOUNT \_\_\_\_\_ (US DOLLAR EQUIVALENT).

SOURCE OF FUNDS:

PRIVATE CONTRIBUTIONS	_____	_____ PERCENT
PRIVATE GRANTS	_____	_____ PERCENT
REVENUE	_____	_____ PERCENT
U.S. GOVERNMENT	_____	_____ PERCENT
OTHER GOVERNMENT	_____	_____ PERCENT
OTHER	_____	_____ PERCENT
TOTAL REVENUE	_____	<u>100</u> PERCENT

COMMENTS: (SEE PARA 3A)

JUSTIFICATION: (SEE PARA 3B)

CONDITION 3:

THE LPVO IS A VOLUNTARY ORGANIZATION, RECEIVING VOLUNTARY CONTRIBUTIONS OF MONEY, STAFF TIME OR IN-KIND SUPPORT FROM THE GENERAL PUBLIC.

COMMENTS: (SEE PARA 3A)

JUSTIFICATION: (SEE PARA 3B)

CONDITION 4:

THE LPVO IS A NONPROFIT ORGANIZATION WITH TAX-EXEMPT STATUS UNDER ITS COUNTRY'S TAX LAWS, IF THEY EXIST AND ARE APPROPRIATE.

COMMENTS: (SEE PARA 3A)

JUSTIFICATION: (SEE PARA 3B)

CONDITION 5:

THE LPVO IS ENGAGED IN VOLUNTARY CHARITABLE OR DEVELOPMENT ASSISTANCE OPERATIONS OF A TYPE CONSISTENT WITH ITS ARTICLES OF INCORPORATION, AND WITHIN THE BROAD PURPOSES OF THE FOREIGN ASSISTANCE ACT AND P.L. 480. INCLUDE A BRIEF DESCRIPTION OF PURPOSE AND ACTIVITIES BELOW ALONG WITH ANY FURTHER COMMENTS.

COMMENTS: (SEE PARA 3A)

JUSTIFICATION: (SEE PARA 3B)

CONDITION 6:

THE LPVO HAS AN ACCEPTABLE SYSTEM TO ACCOUNT FOR THE RECEIPT AND EXPENDITURE OF USG FUNDS AND PREPARES AN ANNUAL FINANCIAL STATEMENT THAT IS AN ACCURATE AND FAIR REPRESENTATION OF THE ORGANIZATION'S FINANCIAL POSITION INDICATING THAT IT HAS THE FINANCIAL RESOURCES TO ENABLE IT TO PERFORM ITS NORMAL FUNCTIONS IN THE ABSENCE OF AID SUPPORT.

COMMENTS: (SEE PARA 3A)

(NOTE: COMMENTS SHOULD INCLUDE A BRIEF ANALYSIS OF RELEVANT FINANCIAL STATISTICS, SUCH AS ASSETS LIABILITIES, REVENUES, CASH ON HAND, ETC., SUFFICIENT TO SUBSTANTIATE A DETERMINATION OF FINANCIAL VIABILITY.)

JUSTIFICATION: (SEE PARA 3B)

CONDITION 7:

THE LPVO IS CONTROLLED BY AN ACTIVE AND RESPONSIBLE GOVERNING BODY WHICH MAINTAINS EFFECTIVE POLICY AND ADMINISTRATIVE CONTROL, WHICH MEETS AT LEAST ANNUALLY AND WHOSE MEMBERS SERVE WITHOUT COMPENSATION; IF PAID OFFICERS SERVE ON THE GOVERNING BODY, THEY CANNOT CONSTITUTE A MAJORITY IN ANY DECISION.

COMMENTS: (SEE PARA 3A)

JUSTIFICATION: (SEE PARA 3B)

CONDITION 8:

THE LPVO, UNDER ITS OWN ESTABLISHED PRIORITIES AND PROGRAMS, OBTAINS, EXPENDS, AND DISTRIBUTES ITS FUNDS AND RESOURCES IN CONFORMITY WITH ACCEPTED ETHICAL STANDARDS, WITHOUT UNREASONABLE COST FOR PROMOTION, PUBLICITY, FUND RAISING AND ADMINISTRATION. FVA/PVC GENERALLY CONSIDERS SUCH COSTS IN EXCESS OF 25 PERCENT TO BE UNREASONABLE. JUSTIFICATION FOR SUCH COSTS EXCEEDING 25 PERCENT CAN BE SUBMITTED AND WILL BE CONSIDERED BY AID/W. HOWEVER, APPLICANTS WITH SUCH COSTS EXCEEDING 50 PERCENT WILL GENERALLY NOT BE CONSIDERED WITHOUT SUBMISSION OF A VERY STRONG JUSTIFICATION.

COMMENTS: (SEE PARA 3A)

JUSTIFICATION: (SEE PARA 3B)

(END OF DOCUMENT)

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5. THE LPVO DOCUMENTATION REVIEW FORM (DRF) WAS DEVELOPED TO HELP FACILITATE THE OBTAINING AND RETAINING OF SUPPORTING DOCUMENTATION AT THE MISSION AND COMPLIANCE WITH THE REGISTRATION REGULATIONS. THIS FORM NEED NOT BE SUBMITTED TO WASHINGTON. THE FORMAT FOR THE DRF FOLLOWS:

(PAGE 1 AND SUBSEQUENT PAGES)

CHECKLIST  
LPVO DOCUMENTATION REVIEW FORM  
(FOR MISSION INTERNAL USE ONLY)

INSTRUCTIONS: PLEASE CHECK THE DOCUMENTS YOU HAVE REVIEWED TO DETERMINE WHETHER THE APPLICANT ORGANIZATION MEETS THE CONDITIONS OF REGISTRATION. IF A PARTICULAR DOCUMENT IS NOT SUBMITTED BY THE ORGANIZATION OR IS NOT APPLICABLE IN THE PARTICULAR COUNTRY, AN EXPLANATION SHOULD BE PROVIDED IN THE QUOTE COMMENTS UNQUOTE SECTION OF THE SRF. THE DOCUMENTATION REQUIREMENT FOR EACH CONDITION IS LISTED IN THE AID HANDBOOK 3, APPENDIX 4CA-4.

CONDITION 1: LEGAL ENTITY  
ARTICLES OF INCORPORATION \_\_\_\_\_  
BY-LAWS \_\_\_\_\_  
STATEMENT OF ORIGINAL PURPOSE \_\_\_\_\_  
OTHER: \_\_\_\_\_

COMMENTS:

CONDITION 2: PRIVATE SOURCES  
STATEMENT OF REVENUES AND EXPENSES \_\_\_\_\_  
SOURCES OF FUNDS LISTED \_\_\_\_\_

COMMENTS:

CONDITION 3: VOLUNTARY CONTRIBUTIONS  
ANNUAL REPORT (OR SIMILAR DOCUMENT) \_\_\_\_\_  
FINANCIAL STATEMENTS \_\_\_\_\_

COMMENTS:

CONDITION 4: TAX EXEMPT  
STATEMENT OF TAX-EXEMPT STATUS (OR OTHER  
RELEVANT CONDITION) \_\_\_\_\_

COMMENTS:

CONDITION 5: CHARITABLE OR DEVELOPMENT ACTIVITIES  
ANNUAL REPORT OF ACTIVITIES (OR OTHER NARRATIVE  
EXPLANATION \_\_\_\_\_

COMMENTS:

CONDITION 6: SOUND FINANCIAL MANAGEMENT AND VIABILITY  
FINANCIAL STATEMENTS \_\_\_\_\_  
CURRENT BUDGET \_\_\_\_\_  
ACCEPTABLE ACCOUNTING SYSTEM (Y/N) \_\_\_\_\_

COMMENTS:

CONDITION 7: BOARD  
LIST OF BOARD MEMBER NAMES \_\_\_\_\_  
EVIDENCE THAT BOARD MEETINGS HAVE  
BEEN CONDUCTED (E.G. BOARD  
MINUTES; OTHER DOCUMENTATION, ETC.) \_\_\_\_\_

COMMENTS:

CONDITION 8: USES OF FUNDS  
FINANCIAL STATEMENTS (TO VERIFY REASONABLE  
FUNDRAISING COSTS) \_\_\_\_\_  
STATEMENT LISTING TOP 5 SALARIES \_\_\_\_\_

COMMENTS:

PLEASE NOTE: IN THE ABSENCE OF THESE SPECIFIC DOCUMENTS,  
THE CERTIFYING OFFICER SHOULD USE HIS/HER DISCRETION IN  
ACCEPTING SUBSTITUTES WHICH PROVIDE THE SAME OR EQUIVALENT  
INFORMATION, PROVIDED THERE IS AN EXPLANATION IN THE QUOTE  
COMMENTS UNQUOTE SECTION.

(END OF DOCUMENT)

6. FVA/PVC INTENDS TO POUCH A COPY OF THESE FORMS  
WORLDWIDE, THIS CABLE SHOULD PROVIDE IMMEDIATE ASSISTANCE  
IN COMPLYING WITH THE NEW REGISTRATION PROCESS. FVA/PVC  
APPRECIATES YOUR COOPERATION IN THE EFFORT TO IMPLEMENT  
THE INTENT OF THE SAC REPORT AND BELIEVES THAT THESE  
PROCEDURES SHOULD ULTIMATELY PROMOTE A HEALTHY WORKING  
RELATIONSHIP WITH AID AND THE LOCAL PVO COMMUNITY.

YY

## **USAID Handbook 3**



**Restriction in 1989 Appropriations Act**  
Regarding Registration of PVOs - State 356010



TEXT OF STATE 356010  
NOVEMBER 01, 1988  
RETYPE FOR LEGIBILITY

UNCLASSIFIED

AID/GC/CP:STISA:BMG:0818G  
11/01/88  
AID/AA/FVA/:OCYLKE

AID/FVA/PVC:KPOE (DRAFT)	AID/FVA/PVC:TMCKAY (DRAFT)
AID/FVA/PVC:TANNER (DRAFT)	AID/AFR/DP/PPE:ADRABEK (DRAFT)
AID/ANE/TR/HR:SGRANT (DRAFT)	AID/PPC/PB:HGRAY (DRAFT)
AID/GC/LP:RLESTER (DRAFT)	AID/ES:MHAGEBOECK
AID/LAC/DP:SBENOLIEL (DRAFT)	

ROUTINE AID WORLDWIDE

ADM AID

E.O. 12958: N/A

TAGS:

SUBJECT: RESTRICTION IN 1989 APPROPRIATIONS ACT REGARDING  
REGISTRATION OF PVOS

REFS: (A) STATE 022888; (B) STATE 074046; (C) HANDBOOK 3,  
APPENDIX 4C - REGULATION 3 REGARDING PVO REGISTRATION; (D)  
HANDBOOK 3, ANNEX 1 TO APPENDIX 4C - ELIGIBILITY OF NON-  
U.S. PVOS

1. BACKGROUND AND SUMMARY. SECTION 541 OF THE 1989  
APPROPRIATION ACT REENACTS THE REQUIREMENT THAT ALL PVOS  
MUST BE REGISTERED TO BE ELIGIBLE FOR GRANTS OF  
APPROPRIATED FUNDS DIRECTLY FROM AID. REGISTRATION  
PROCEDURES FOR U.S. PVOS ARE SET FORTH IN AID REGULATION  
3, REF C, AND AUTHORITY TO IMPLEMENT REGULATION 3 HAS BEEN  
DELEGATED TO DAA/FVA/PVC. REF A QUOTED THE 1988 COMMITTEE  
REPORT COMMENTS OF THE SENATE APPROPRIATIONS COMMITTEE  
(SAC), WHICH SPONSORED THIS PROVISION, AND PROVIDED  
INTERIM GUIDANCE FOR COMPLYING WITH IT. REF B PROVIDED  
ADDITIONAL INFORMATION IN RESPONSE TO FIELD COMMENTS.  
DURING 1988, AID/W DISCUSSED WITH SAC STAFF THE IMPACT OF  
THIS REQUIREMENT, AND THE 1989 SAC REPORT, QUOTED BELOW,  
CLARIFIES THE COMMITTEE'S EXPECTATIONS WITH RESPECT TO  
INDIGENOUS PVOS (REFERRED TO HEREIN AS LOCAL OR LPVOS).  
THIS CABLE OUTLINES PROCEDURES FOR COMPLYING WITH THE  
REQUIREMENT DURING FY 1989 AND DRAWS FROM REFS A AND B  
THOSE PORTIONS WHICH CONTINUE TO BE IN EFFECT. UNTIL

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FURTHER NOTICE, THESE PROCEDURES SUPPLEMENT THE GUIDANCE, REF D, CONCERNING THE ELIGIBILITY OF NON-U.S. PRIVATE AND VOLUNTARY AGENCIES FOR PARTICIPATION IN AID-SUPPORTED PROGRAMS, EXCEPT FOR PARAGRAPH V OF REF D, WHICH IS SUPERSEDED. PERMANENT REGISTRATION OF ALL FOREIGN PVOS, INCLUDING LOCAL, WILL BE THE RESPONSIBILITY OF FVA/PVC. THIS IS EFFECTIVE IMMEDIATELY, AND REDELEGATION OF AUTHORITY 134.1 REGARDING REGISTRATION OF FOREIGN PVOS HEREBY IS REVOKED. FINALLY, THIS MESSAGE IDENTIFIES ONE REMAINING PROBLEM, I.E., HOW TO PROVIDE ASSISTANCE TO A PVO TO DEVELOP ITS CAPABILITY TO QUALIFY FOR REGISTRATION, AND SUGGESTS POTENTIAL SOLUTIONS.

2. 1989 LEGISLATION AND SAC REPORT. THE RELEVANT PORTION OF SECTION 541 OF THE 1989 APPROPRIATIONS ACT PROVIDES: QUOTE: NOR SHALL ANY OF THE FUNDS APPROPRIATED BY THIS ACT BE MADE AVAILABLE TO ANY PRIVATE AND VOLUNTARY ORGANIZATION WHICH IS NOT REGISTERED WITH THE AGENCY FOR INTERNATIONAL DEVELOPMENT. UNQUOTE

A. THE SAC REPORT STATES AS FOLLOWS:

QUOTE PVO REGISTRATION

FOR SEVERAL YEARS, AID HAD REQUIRED THAT UNITED STATES AND INDIGENOUS PRIVATE AND VOLUNTARY ORGANIZATIONS (PVOS) BE REGISTERED IN ORDER TO BE ELIGIBLE RECIPIENTS OF DIRECT GRANTS FROM AID.

LAST YEAR, THIS COMMITTEE WAS TROUBLED BY REPORTED AND POTENTIAL ABUSES IN THE REGISTRATION PROCESS FOR INDIGENOUS PVOS. THE COMMITTEE SPONSORED A NEW STATUTORY PROVISION REGARDING REGISTRATION TO ENSURE THAT AID ENFORCES ITS LONGSTANDING POLICY AND INSISTED THAT AID APPLY UNIFORM AND COMPARABLE REQUIREMENTS IN THE REGISTRATION OF UNITED STATES AND INDIGENOUS PVOS. ALTHOUGH THE COMMITTEE REALIZES THAT SOME DEGREE OF FLEXIBILITY IS NECESSARY IN APPLYING REGISTRATION STANDARDS TO INDIGENOUS PVOS BECAUSE OF THE DIFFERENT LEGAL SYSTEMS, PROCEDURES, AND CIRCUMSTANCES IN HOST COUNTRIES, REGISTRATION REQUIREMENTS SHOULD BE APPLIED AS UNIFORMLY AS POSSIBLE. VARIATIONS SHOULD BE WELL JUSTIFIED AND KEPT TO A MINIMUM, AND REGISTRATION SHOULD BE APPROVED BY AID IN WASHINGTON TO ENSURE UNIFORM APPLICATION OF REQUIREMENTS.

THIS YEAR THE COMMITTEE WISHES TO CLARIFY TWO POINTS. FIRST, IT IS NOT INTENDED TO REQUIRE REGISTRATION OF PVO'S IN ORDER TO BE ELIGIBLE FOR SUBGRANTS, BUT ONLY FOR DIRECT GRANTS FROM AID. THE PVO SUBGRANT PROGRAM IS AN IMPORTANT

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MEANS OF DEVELOPING THE CAPABILITY OF SMALL PVOS IN ORDER TO QUALIFY FOR REGISTRATION AND DIRECT ASSISTANCE FROM AID. IT ALSO IS A USEFUL MECHANISM FOR PROVIDING SUPPORT FOR LARGE NUMBERS OF SMALL INDIGENOUS ORGANIZATIONS, ESPECIALLY THOSE REPRESENTING WOMEN, TRIBAL PEOPLES, AND OTHER MINORITIES.

SECOND, THE COMMITTEE REALIZES THAT THE INITIAL JUDGEMENT WHETHER AN INDIGENOUS PVO QUALIFIES FOR REGISTRATION SHOULD BE MADE BY AID MISSIONS. THE REGISTRATION PROCESS INVOLVES EXTENSIVE DOCUMENTATION, OFTEN IN THE LANGUAGE OF THE HOST COUNTRY, AND REQUIRES AN UNDERSTANDING OF THE LOCAL LEGAL SYSTEM, CUSTOMS, AND PROCEDURES. MOREOVER, REGISTRATION OF INDIGENOUS PVOS IN WASHINGTON WOULD LEAD TO LENGTHY DELAYS WHICH INTERFERE WITH TIMELY OPERATION OF THE ASSISTANCE PROGRAM IN A COUNTRY. ON THE OTHER HAND, THE COMMITTEE PERSISTS IN ITS CONCERN THAT ABUSES SHOULD BE PREVENTED AND THAT REGISTRATION STANDARDS SHOULD BE APPLIED AS UNIFORMLY AS POSSIBLE. THE COMMITTEE BELIEVES THESE INTERESTS CAN BE ACCOMMODATED IF THE PROCESS OF REGISTERING INDIGENOUS PVOS IS IMPLEMENTED IN TWO PHASES. FIRST, AID MISSIONS MAY REVIEW DOCUMENTATION SUBMITTED BY A LOCAL APPLICANT AND, IF WARRANTED, REGISTER THE INDIGENOUS ORGANIZATION AS A PVO ON A PROVISIONAL BASIS. THE PVO WOULD BE ELIGIBLE FOR ASSISTANCE. THE MISSION WOULD THEN PROVIDE A DETAILED REPORT TO AID'S OFFICE OF PRIVATE AND VOLUNTARY COOPERATION (PVC) FOR PVC'S APPROVAL AND PERMANENT REGISTRATION. THIS WRITTEN REPORT SHOULD DESCRIBE HOW THE INDIGENOUS PVO SATISFIES THE STANDARDS FOR REGISTRATION AND PROVIDE A JUSTIFICATION FOR ANY VARIATIONS FROM THESE STANDARDS REQUIRED BY LOCAL LAWS, CUSTOMS, OR PRACTICES. WITH REGARD TO PVOS IN SOUTH AFRICA, IF THE REGISTRATION PROCESS AS PRESENTLY STRUCTURED PROVES A DISINCENTIVE TO THE PARTICIPATION OF PVOS IN SOUTH AFRICA, THE COMMITTEE WOULD BE AGREEABLE TO DISCUSSING ALTERNATIVE PROCEDURES WHICH WOULD PROTECT ITS CONCERNS AND STILL ALLOW THE PROGRAM TO CONTINUE. THE COMMITTEE WOULD LIKE TO DISCUSS THESE ISSUES WITH AID AS SOON AS POSSIBLE SO THAT MUTUALLY ACCEPTABLE PROCEDURES CAN BE DEVELOPED FOR FISCAL YEAR 1989. UNQUOTE

3. APPLICABILITY OF THE REGISTRATION REQUIREMENT. THE CLARIFICATION PROVIDED IN THE SAC REPORT CONFIRMS THE GUIDANCE REGARDING APPLICABILITY OF THIS REQUIREMENT TO LOCAL PVOS AS SET FORTH IN REFS A AND B AND EXPANDS IT SOMEWHAT:

A. REGISTRATION IS REQUIRED FOR ASSISTANCE FUNDING PROVIDED BY AID DIRECTLY TO A PVO THROUGH A GRANT OR

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COOPERATIVE AGREEMENT. THIS INCLUDES FUNDS FROM ANY ACCOUNT OF THE 1989 APPROPRIATIONS ACT, EXCEPT THOSE FOR WHICH ASSISTANCE IS AUTHORIZED NOTWITHSTANDING ANY PROVISION OF THIS OR ANY OTHER ACT -- SUCH AS DISASTER RELIEF UNDER SECTION 491 OF THE FAA. THE REGISTRATION REQUIREMENT APPLIES TO INCREMENTAL OBLIGATIONS MADE TO EXISTING AGREEMENTS WITH FY 1989 FUNDS, BUT DOES NOT APPLY TO FUNDS OBLIGATED PRIOR TO FY 1988 WHEN THE REQUIREMENT WAS FIRST ENACTED.

B. PVOS MUST BE REGISTERED TO BE ELIGIBLE FOR DIRECT REPEAT DIRECT GRANT OR COOPERATIVE AGREEMENTS FROM AID. THE REQUIREMENT DOES NOT APPLY TO SUBGRANTS FROM PVOS OR GOVERNMENTAL OR NONGOVERNMENTAL ORGANIZATIONS (NGOS) OR TO FUNDING PROVIDED TO PVOS THROUGH CONTRACTORS, SUCH AS IN SOME PVO UMBRELLA PROJECTS, IF FUNDING IS PROVIDED THROUGH THE CONTRACTOR WHICH SELECTS AND MONITORS THE PVO AND IS RESPONSIBLE TO AID FOR THE USE OF FUNDS BY THE PVO.

C. A PVO NEED NOT BE REGISTERED TO BE ELIGIBLE FOR ASSISTANCE IN THE FORM OF TECHNICAL CONSULTANT SERVICES OR TRAINING.

D. IT IS NOT NECESSARY FOR A PVO TO BE REGISTERED IN ORDER TO BE ELIGIBLE AS A CONTRACTOR OF SUBCONTRACTOR PROVIDING GOODS OR SERVICES TO AID, A HOST COUNTRY OR ANOTHER PVO.

4. DEFINITION OF AN NGO AND A PVO. THE REGISTRATION REQUIREMENT APPLIES ONLY TO THOSE NGOS WHICH ALSO ARE PVOS, I.E., SATISFIES EACH OF THE ELEMENTS IN THE DEFINITION OF A PVO SET FORTH IN PARAGRAPH B, BELOW.

A. AN NGO. THE TERM NGO IS A BROADER CATEGORY AND INCLUDES NOT ONLY PVOS BUT ALSO OTHER ORGANIZATIONS, SUCH AS EDUCATIONAL OR RESEARCH INSTITUTIONS AND PROFIT-MAKING FIRMS. AN NGO WHICH IS NOT A PVO REMAINS ELIGIBLE FOR ASSISTANCE WITHOUT REGISTRATION, BUT IT CANNOT PARTICIPATE IN CERTAIN ACTIVITIES THAT ARE RESERVED BY POLICY OR LAW FOR PVOS SUCH AS AID'S PAYMENT FOR OCEAN FREIGHT SHIPPING COSTS UNDER SECTION 123.B OF THE FAA, PROCURE GOODS OR SERVICES FROM FEDERAL AGENCIES UNDER SECTION 607 (A) OF THE FAA, PARTICIPATING AS COOPERATING SPONSORS UNDER SECTION 202 (A) OF P.L. 480, OR PARTICIPATING IN THE PVO MATCHING GRANT, CHILD SURVIVAL, AND MISSION PVO PROGRAMS.

B. A PVO. ALTHOUGH NOT STATED AS A DEFINITION, THE CONDITIONS OF REGISTRATION (CONDITIONS 1 THROUGH 5 FOR USPVOS, REF C, AND TEXT OF PARAGRAPH III THROUGH SUBPARAGRAPH E FOR FOREIGN PVOS, REF D) DESCRIBE THE

ESSENTIAL CHARACTERISTICS THAT HAVE BEEN USED TO IDENTIFY A PVO FOR MANY YEARS. (AN NGO MUST HAVE EACH OF THESE CHARACTERISTICS IN ORDER TO BE A PVO). THUS, UNTIL NOTIFIED OTHERWISE A PVO IS DEFINED AS A PRIVATE NONGOVERNMENTAL ORGANIZATION (BUT NOT A UNIVERSITY, COLLEGE, ACCREDITED DEGREE-GRANTING INSTITUTION OF EDUCATION, PRIVATE FOUNDATION, INSTITUTION ENGAGED SOLELY IN RESEARCH OR SCIENTIFIC ACTIVITIES, A CHURCH OR OTHER ORGANIZATION ENGAGED EXCLUSIVELY IN RELIGIOUS ACTIVITY) WHICH

-- IS ORGANIZED UNDER THE LAWS OF A COUNTRY;

-- RECEIVES FUNDS FROM PRIVATE SOURCES;

-- IS NONPROFIT WITH APPROPRIATE TAX EXEMPT STATUS IF THE LAWS OF THE COUNTRY GRANT SUCH STATUS TO NONPROFIT ORGANIZATIONS;

-- IS VOLUNTARY IN THAT IT RECEIVES VOLUNTARY CONTRIBUTIONS OF MONEY, STAFF TIME, OR IN-KIND SUPPORT FROM THE PUBLIC; AND

-- IS ENGAGED IN VOLUNTARY CHARITABLE OR DEVELOPMENT ASSISTANCE ACTIVITIES, OTHER THAN RELIGIOUS, OR ANTICIPATES DOING SO.

5. UNIFORM CONDITIONS FOR REGISTRATION, WE HAVE FOUND THAT THE EXISTING REQUIREMENTS OR CONDITIONS FOR REGISTRATION OF LOCAL PVOS SET FORTH IN REF D GENERALLY ARE UNIFORM AND COMPARABLE TO THOSE FOR USPVOs, REF C. BOTH ARE DESIGNED TO OBTAIN INFORMATION DEMONSTRATING THAT THE APPLICANT FOR REGISTRATION IS A RESPONSIBLE ORGANIZATION WHICH PROPERLY ACCOUNTS FOR THE FUNDS AVAILABLE TO IT. MANY OF THESE SAME FEATURES ARE EXAMINED, IN MORE DEPTH, AS PART OF THE PROCESS OF AWARDING A SPECIFIC SUPPORT GRANT DIRECTLY TO A USPVO OR LOCAL PVO. SEE HANDBOOK 13, CHAPTER 4, PARAGRAPHS 4E AND 4F. THE DIFFERENCES BETWEEN THE REQUIREMENTS AND CONDITIONS IN REF C AND REF D, TO A LARGE EXTENT, ARE CAUSED BY SEVERAL FACTS. FIRST, USPVOs SOMETIMES REFER TO THEIR REGISTRATION WITH AID AS PART OF THEIR PROMOTIONAL AND FUND-RAISING ACTIVITY IN THE UNITED STATES. AID ATTEMPTS TO ENSURE, THEREFORE, THAT CERTAIN SPECIFIC KINDS OF PRACTICES ARE OBSERVED BY THE USPVO AND INFORMATION IS AVAILABLE BOTH TO THE AGENCY AND THE UNITED STATES PUBLIC. SECOND, THERE HAS BEEN A REQUIREMENT THAT USPVOs OBTAIN AT LEAST 20 PERCENT OF THEIR FUNDS FOR OVERSEAS ACTIVITIES FROM SOURCES OTHER THAN THE GOVERNMENT. THE REGISTRATION PROCESS, INCLUDING ANNUAL REPORTS, MUST PROVIDE RELIABLE

FINANCIAL INFORMATION WHICH IS USED BY AID TO DETERMINE WHETHER THE USPVO IS ELIGIBLE FOR SUPPORT UNDER THAT STATUTORY REQUIREMENT. THIRD, IN ESTABLISHING REGULATORY REQUIREMENTS FOR U.S. ORGANIZATIONS TO OBTAIN A CERTAIN STATUS WITH THE GOVERNMENT, I.E., REGISTRATION BY AID, IT IS NECESSARY FOR THE GOVERNMENT TO DESCRIBE ITS REQUIREMENTS IN DETAIL AND WITH SPECIFICITY, RATHER THAN USING VAGUE CHARACTERIZATIONS SUCH AS QUOTE ETHICAL STANDARDS UNQUOTE, IN ORDER TO AVOID ALLEGATIONS THAT AN EXERCISE OF JUDGEMENT IS ARBITRARY AND CAPRICIOUS. FINALLY, THE SPECIFIC REQUIREMENTS IN REF C ARE BASED ON AN AGENCY JUDGEMENT ABOUT WHAT IS APPROPRIATE UNDER CONCEPTS AND CIRCUMSTANCES PREVAILING IN THE UNITED STATES WHICH ARE NOT NECESSARILY APPROPRIATE AND MAY EVEN CONFLICT WITH THOSE PREVAILING IN DEVELOPING COUNTRIES WHERE AID FURNISHES ASSISTANCE TO INDIGENOUS PVOS.

6. PROVISIONAL REGISTRATION BY FIELD POSTS. IN RESPONSE TO THE ALTERNATIVES PROVIDED PARA 8 REF B, MOST FIELD POSTS CHOSE OPTION B, PROVISIONAL REGISTRATION AT POST SUBJECT TO CONCURRENCE BY FVA/PVC TO ENSURE UNIFORM APPLICATION OF REGISTRATION REQUIREMENTS. AS INDICATED IN THE SAC REPORT QUOTED PARA 2 ABOVE, THE COMMITTEE ALSO FOUND THIS ALTERNATIVE TO BE AN ACCEPTABLE ACCOMMODATION BETWEEN THE PROBLEMS INVOLVED WITH REGISTRATION AND THE COMMITTEE'S INTEREST IN UNIFORM APPLICATION OF REGISTRATION STANDARDS. THUS, POSTS SHOULD PROCESS APPLICATIONS FOR REGISTRATION AS DESCRIBED IN REF D, EXCEPT PARAGRAPH V OF REF D. YOU ALSO MAY FIND HELPFUL IN THIS RESPECT THE BOOKLET, ENTITLED THE AID-PVO PARTNERSHIP, WHICH HAS BEEN PROVIDED TO ALL POSTS. FIELD POSTS WILL REVIEW DOCUMENTATION SUBMITTED BY LOCAL APPLICANT AND, IF WARRANTED, REGISTER IT AS A PVO ON A PROVISIONAL BASIS.

7. REVIEW OF FIELD POST PROVISIONAL REGISTRATION AND PERMANENT REGISTRATION BY FVA/PVC. FINAL APPROVAL OF REGISTRATION OF PVOS, INCLUDING LOCAL AND OTHER FOREIGN PVOS, IS REDELEGATED TO DAA/FVA/PVC. THE FOLLOWING PROCESS WILL BE USED FOR LOCAL PVOS:

A. AFTER PROVISIONAL REGISTRATION OF A LOCAL PVO, THE FIELD POST WILL PROVIDE A DETAILED REPORT TO FVA/PVC FOR PVC'S APPROVAL AND PERMANENT REGISTRATION OF THE LOCAL PVO. THE REPORT WILL DESCRIBE HOW THE PVO SATISFIES THE CONDITIONS FOR REGISTRATION SET FORTH IN REF D AND PROVIDE A JUSTIFICATION FOR ANY VARIATIONS FROM THESE STANDARDS REQUIRED BY LOCAL LAW, CUSTOMS OR PRACTICES OR JUSTIFICATION FOR ANY DOCUMENTATION ACCEPTED BY THE FIELD POST IN LIEU OF THE DOCUMENTS DESCRIBED IN REF D.

B. THIS REPORT WILL BE PROVIDED IN A STANDARD FORMAT WHICH WILL BE SENT BY CABLE FROM PVC TO ALL POSTS. OFFICERS SHOULD NOTE THAT EACH DEPARTURE FROM A CONDITION OR ITS SUPPORTING DOCUMENTATION SHOULD BE EXPLAINED IN THE COMMENTS SECTION OF THE REPORT. WHEN THIS REPORT IS COMPLETED AND SIGNED BY THE APPROPRIATE OFFICER AT POST, THE LOCAL PVO IS PROVISIONALLY REGISTERED AND IS ELIGIBLE TO RECEIVE ASSISTANCE DIRECTLY FROM AID.

C. TWO SIGNED COPIES OF THE REPORT SHOULD BE SENT TO FVA/PVC, ATTENTION REGISTRATION OFFICER, WHERE IT WILL BE REVIEWED. ONE ORIGINAL IS FOR FVA/PVC'S REGISTRATION FILES AND THE OTHER SIGNED ORIGINAL IS FOR THE POST'S REGISTRATION FILE. DO NOT REPEAT NOT SEND ANY SUPPORTING DOCUMENTATION SUBMITTED BY THE PVO TO THE FIELD POST, SUCH AS ARTICLES OF INCORPORATION, FINANCIAL STATEMENTS, ETC.

D. UPON REVIEW, PVC MAY APPROVE THE POST'S PROVISIONAL REGISTRATION, MAY REQUEST ADDITIONAL INFORMATION BEFORE APPROVAL OR DISAPPROVAL, OR PVC MAY DISAPPROVE REGISTRATION.

E. AFTER PVC'S REVIEW IS COMPLETED, IT WILL RETURN ONE COPY OF THE FORM AS ORIGINALLY SUBMITTED OR AS REVISED BASED ON ADDITIONAL INFORMATION RECEIVED FROM FIELD POST WITH THE SIGNATURE OF DAA/FVA/PVC ON THE APPROVAL OR DISAPPROVAL LINE. THE SIGNED FORM WILL CONSTITUTE THE OFFICIAL AID DOCUMENTATION OF THE REGISTRATION ACTION. SIGNED COPIES SHOULD BE RETAINED BOTH BY PVC AND THE FIELD POST. FVA/PVC WILL ISSUE THREE ORIGINAL ONE-PAGE CERTIFICATES OF REGISTRATION SIGNED BY DAA/FVA/PVC WITH THE DESIGNATED REGISTRATION NUMBER FOR THE PVO. ONE ORIGINAL WILL BE RETAINED BY FVA/PVC, THE SECOND ORIGINAL BY FIELD POST AND THE THIRD BY THE PVO.

F. INDIGENOUS PVOS APPROVED BY PVC WILL BE PLACED ON THE PVO REGISTRY.

G. IF PVC DOES NOT APPROVE PERMANENT REGISTRATION OF THE LOCAL PVO, THE FIELD POST MAY COMPLETE DISBURSEMENT OF FUNDS GRANTED TO THE LOCAL PVO WHILE IT WAS REGISTERED PROVISIONALLY, BUT THE LOCAL PVO WILL CEASE TO BE ELIGIBLE FOR ANY FURTHER ASSISTANCE IN THE FORM OF GRANT FUNDING DIRECTLY FROM AID. PVC WILL PROVIDE THE FIELD POST WITH ITS SPECIFIC REASONS FOR NOT APPROVING THE PVO'S PERMANENT REGISTRATION. THE FIELD POST MAY LATER RESUBMIT ITS REQUEST FOR PERMANENT REGISTRATION TO PVC WHEN IT HAS OBTAINED ADDITIONAL INFORMATION WHICH THE FIELD POST BELIEVES ADDRESSES THE REASONS GIVEN BY PVC FOR NOT APPROVING ITS ORIGINAL RECOMMENDATION TO REGISTER THE PVO.

THE FIELD POST SHOULD NOT PROVIDE ANY NEW ASSISTANCE TO THIS PVO, HOWEVER, UNTIL PVC CONSIDERS THE NEW INFORMATION AND APPROVES REGISTRATION.

7. ANNUAL REPORT. PVOS ARE REQUIRED TO SUBMIT ANNUAL REPORTS IN ORDER TO MAINTAIN THEIR REGISTRATION STATUS. SEE REF C, SECTION 203.3 REGARDING USPVOS AND REF D PARAGRAPH IV FOR LOCAL PVOS. AFTER REVIEWING A LOCAL PVO'S ANNUAL REPORT, THE FIELD POST SHOULD ADVISE FVA/PVC, BY CABLE, WHETHER THE PVO'S REGISTRATION SHOULD BE CONTINUED, OR WHETHER THERE ARE PROBLEMS THAT NEED TO BE ADDRESSED, OR WHETHER THE LOCAL PVOS REGISTRATION SHOULD BE TERMINATED. FVA/PVC MAY AT ITS DISCRETION, ASK FIELD POSTS TO PROVIDE AN EXPLANATION OF THEIR DECISIONS TO CONTINUE REGISTRATION OF LOCAL PVOS.

8. POTENTIAL REMAINING PROBLEMS. THERE MAY BE INSTANCES WHEN EITHER THE FIELD POST OF FVA/PVC MAY REFUSE TO REGISTER A LOCAL PVO, BECAUSE IT DOES NOT MEET THE REGISTRATION CONDITIONS, BUT IT WOULD BE IN THE INTERESTS OF THE U.S. TO DEVELOP THE LOCAL PVO'S INSTITUTIONAL CAPABILITY TO QUALIFY FOR REGISTRATION. SECTION 541 OF THE 1989 APPROPRIATIONS ACT PROHIBITS A GRANT OF FUNDS DIRECTLY BY AID TO THE PVO UNLESS IT IS REGISTERED. IF THIS OCCURS, THE PVO WILL REMAIN ELIGIBLE FOR SUBGRANTS, AS DISCUSSED ABOVE, AND ASSISTANCE MAY BE FURNISHED IN THIS WAY UNTIL IT DEVELOPS THE CAPABILITY TO QUALIFY FOR DIRECT FUNDING FROM AID. IF SUBGRANTS ARE NOT A REALISTIC POSSIBILITY, FIELD POSTS MAY PROVIDE TECHNICAL ASSISTANCE IN THE FORM OF CONSULTING SERVICES IN AN EFFORT TO DEVELOP THE PVO'S CAPABILITY IN ORDER TO QUALIFY FOR REGISTRATION; I.E. THE FIELD POST MAY HIRE A CONSULTANT TO WORK WITH THE PVO. PLEASE ADVISE IF NEITHER OF THESE ALTERNATIVES IS POSSIBLE, AND IT IS NECESSARY OR DESIRABLE TO PROVIDE FUNDING DIRECTLY TO THE UNREGISTERED LOCAL PVO TO IMPROVE ITS QUALIFICATIONS AND TO SUPPORT SOME OPERATIONAL ACTIVITY. IF THIS PROBLEM IS WIDESPREAD, AID/W MIGHT CONSIDER ADOPTING TWO LEVELS OF REGISTRATION: ONE FOR FULL OPERATIONAL ELIGIBILITY AND THE OTHER FOR INSTITUTIONAL DEVELOPMENT AND MINOR, INCIDENTAL OPERATIONAL ACTIVITY. FIELD POSTS ARE REQUESTED TO PROVIDE YOUR VIEWS ABOUT WHETHER THIS WOULD BE NECESSARY OR DESIRABLE AND ABOUT THE KINDS OF REGISTRATION REQUIREMENTS THAT SHOULD BE SATISFIED AND ACTIVITIES THAT SHOULD BE SUPPORTED BEFORE THE PVO SATISFIES THE REQUIREMENTS FOR FULL REGISTRATION AND DIRECT SUPPORT FROM AID.

9. FUTURE GUIDANCE. IT MAY BE NECESSARY TO REFINE FURTHER THE DEFINITION OF A PVO AND/OR THE CONDITIONS FOR



REGISTRATION AND TO CONSIDER WHETHER TWO LEVELS OF REGISTRATION IS USEFUL OR NECESSARY. AID/W WOULD APPRECIATE YOUR VIEWS ON THESE AND ANY OTHER POINTS YOU BELIEVE ARE NOT CLEAR OR OPERATIONAL.

10. RE PARA 4D, REF A, LOCAL PVOS REGISTERED BY FIELD POSTS IN FY 1988 ARE APPROVED BY FVA/PPC, AND DOCUMENTS PROVIDED TO AID/W WILL BE RETURNED TO THE FIELD.

11. SOUTH AFRICA. COMMENTS ON YOUR VIEWS SET FORTH IN PRETORIA 10465 WILL BE SUBJECT OF SEPTTEL.  
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